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89TH CONGRESS
2D SESSION

H. R. 13862

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 1966

Mr. FULTON of Tennessee introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That, in order to protect the owners of dogs and cats from
- 4 theft of such pets and to prevent the sale or use of stolen dogs
- 5 and cats for purposes of research and experimentation, it is
- 6 essential to regulate the transportation, purchase, sale, and
- 7 handling of dogs and cats by persons or organizations en-
- 8 gaged in using them for research or experimental purposes
- 9 or in transporting, buying, or selling them for such use.

1 SEC. 2. DEFINITIONS.—When used in this Act—

2 (a) The term “person” includes any individual,
3 partnership, association, or corporation.

4 (b) The term “Secretary” means the Secretary of
5 Agriculture.

6 (c) The term “commerce” means commerce be-
7 tween any State, territory, or possession, or the District
8 of Columbia or Puerto Rico, and any place outside
9 thereof; or between points within the same State, terri-
10 tory, or possession, or the District of Columbia, but
11 through any place outside thereof; or within any terri-
12 tory or possession or the District of Columbia.

13 (d) The term “cat” means any live domestic cat
14 (Felis catus) for use or intended to be used for research,
15 tests, or experiments at research facilities.

16 (e) The term “dog” means any live dog of the
17 species *Canis familiaris* for use or intended to be used
18 for research tests or experiments at research facilities.

19 (f) The term “research facility” means any school,
20 institution, organization, or person that uses or intends
21 to use dogs or cats in research, tests, or experiments,
22 and that (1) purchases or transports such animals or
23 certain of such animals in commerce or (2) receives
24 any funds from the United States or any agency or in-

1 instrumentality thereof to finance its operations by means
2 of grants, loans, or otherwise.

3 (g) The term "dealer" means any person who for
4 compensation or profit delivers for transportation, trans-
5 ports, boards, buys, or sells dogs or cats in commerce for
6 research purposes.

7 SEC. 3. It shall be unlawful for any research facility to
8 purchase or transport dogs or cats in commerce unless and
9 until such research facility shall have obtained a license from
10 the Secretary in accordance with such rules and regulations
11 as the Secretary may prescribe pursuant to this Act.

12 SEC. 4. It shall be unlawful for any dealer to sell or
13 offer to sell or to transport to any research facility any dog
14 or cat, or to buy, sell, offer to buy or sell, transport or offer
15 for transportation in commerce or to another dealer under
16 this Act any such animal, unless and until such dealer shall
17 have obtained a license from the Secretary in accordance
18 with such rules and regulations as the Secretary may pre-
19 scribe pursuant to this Act, and such license shall not have
20 been suspended or revoked.

21 SEC. 5. The Secretary is authorized to promulgate stand-
22 ards to govern the handling and transportation of dogs and
23 cats by dealers and research facilities, to promote their
24 health, well-being, and safety: *Provided, however,* That this

1 authority shall not be construed to authorize the Secretary to
2 set standards for the handling of these animals during the
3 actual research or experimentation.

4 SEC. 6. All dogs and cats delivered for transportation,
5 transported, purchased, or sold in commerce or to research
6 facilities shall be marked or identified in such manner as the
7 Secretary may prescribe.

8 SEC. 7. Research facilities and dealers shall make and
9 keep such records with respect to their purchase, sale, trans-
10 portation, and handling of dogs and cats, as the Secretary
11 may prescribe.

12 SEC. 8. The Secretary shall take such action as he may
13 deem appropriate to encourage the various States of the
14 United States to adopt such laws and to take such action as
15 will promote and effectuate the purposes of this Act and the
16 Secretary is authorized to cooperate with the officials of the
17 various States in effectuating the purposes of this Act and
18 any State legislation on the same subject.

19 SEC. 9. No dealer shall sell or otherwise dispose of any
20 dog or cat within a period of five business days after the
21 acquisition of such animal.

22 SEC. 10. Dogs and cats shall not be offered for sale or
23 sold in commerce or to a research facility at public auction
24 or by weight; or purchased in commerce or by a research

1 facility at public auction or by weight. No research facility
2 shall purchase any dogs or cats except from a licensed dealer.

3 SEC. 11. The Secretary is authorized to promulgate such
4 rules, regulations, and orders as he may deem necessary in
5 order to effectuate the purposes of this Act.

6 SEC. 12. Any person who violates any provision of this
7 Act shall, on conviction thereof, be subject to imprisonment
8 for not more than one year or a fine of not more than
9 \$10,000.

10 SEC. 13. When construing or enforcing the provisions of
11 this Act, the act, omission, or failure of any individual acting
12 for or employed by a research facility or a dealer within the
13 scope of his employment or office shall be deemed the act,
14 omission, or failure of such research facility or dealer as well
15 as of such individual.

16 SEC. 14. If the Secretary has reason to believe that a
17 dealer has violated any provision of this Act or the regula-
18 tions promulgated thereunder, the Secretary may suspend
19 such dealer's license temporarily, and, after notice and
20 opportunity for hearing, may revoke such license if such
21 violation is determined to have occurred.

22 SEC. 15. If any provision of this Act or the application
23 of any such provision to any person or circumstances, shall
24 be held invalid, the remainder of this Act and the applica-

tion of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 16. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued to research facilities and dealers. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 17. EFFECTIVE DATE.—This Act shall take effect one hundred and twenty days after enactment.

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By Mr. FULTON of Tennessee

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